

CLASSIFICATION OFFICE DECISION

Title of publication: 9cca01d06596a9e149a4c55bc3010b285b82e4dc

Other known title(s): Not stated

OFLC ref: 2000108.030

Medium: Image File

Maker: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: The District Court at Auckland

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: NA

Date of entry in Register: 20 April 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

Summary of reasons for decision:

The image file depicts a female performing a sexual act on another female. The Classification Office has considered whether the subjects are young persons and has concluded that there is not enough information available in the dimly lit, poor quality image to determine their ages with any degree of certainty. While they may be young persons, they may just as easily be young adults. However, the unrestricted availability of the image is still likely to be injurious to the public good due to its explicit sexual content. There is a common social consensus across many countries that pornography should be limited to adults, because of the harms to the developing sexual attitudes and behaviours of young people from premature exposure to such material. Accordingly these image files are restricted to persons aged 18 and over. This restriction limits the right to freedom of expression as provided in the New Zealand Bill of Rights Act 1990 but it is a reasonable limitation on that right in order to prevent injury to the public good.